

SCOTT N. SCHOOLS (SCBN 9990)
United States Attorney

DOUGLAS SPRAGUE (CASBN 202121)
Acting Chief, Criminal Division

DENISE MARIE BARTON (MABN 634052)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7102
Facsimile: (415) 436-7234

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No. 07-0309 WHA
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
)	EXCLUDING TIME
v.)	
)	
JOSE JESUS MADRIGAL-DIAZ,)	
)	
Defendant.)	
_____)	

On June 19, 2007, the parties in this case appeared before the Court and stipulated that time should be excluded from the Speedy Trial Act calculations from June 19, 2007 to July 24, 2007. The parties represented that granting the continuance was necessary for effective preparation of counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv).

SO STIPULATED:

//

//

SCOTT N. SCHOOLS
United States Attorney

DATED: July 20, 2007

/s/
DENISE MARIE BARTON
Assistant United States Attorney

DATED: July 20, 2007

/s/
JEFFRY GLENN
Attorney for JOSE JESUS MADRIGAL-
DIAZ

As the Court found on June 19, 2007, and for the reasons stated above, the Court finds that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial and that time should be excluded from the Speedy Trial Act calculations from June 19, 2007 to July 24, 2007 for effective preparation of counsel. See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested continuance would deny defendant continuity of counsel and deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

SO ORDERED.

DATED: _____

Honorable William H. Alsup
United States District Court Judge